

REMARKS

This is in supplemental response to the Final Official Action currently outstanding with regard to the present application. It is Applicants' understanding that the Amendment After Final Rejection Under 37 CFR 1.116 filed in this application will be entered following the establishment of the Request for Continued Examination filed concurrently herewith. Applicants respectfully request that the foregoing Amendment Accompanying Request for continued Examination be entered subsequent to the entry of their Amendment After Final Rejection Under 37 CFR 1.116 and prior to substantive examination in the concurrently filed Request for Continued Examination proceeding.

Claims 1-23 were pending in this application at the time of the issuance of the currently outstanding Official Action. It was proposed that Claims 1 and 18 be amended in Applicants' Amendment After Final Rejection Under 37 CFR 1.116. The Examiner refused to enter that Amendment on the grounds that it raised new issues requiring further consideration and/or search. The foregoing Amendment amends Claims 1 and 18 as they will be entered in this Request for Continued Examination proceeding by virtue of the un-entered Amendment After Final Rejection Under 37 CFR 1.116. No claims be added, canceled or withdrawn. Accordingly, upon the entry of the foregoing amendment, Claims 1-25 as hereinabove amended will constitute the Claims under active prosecution in this application.

In the Advisory Action dated 17 October 2005, the Examiner has indicated that Applicants use of the wording "a location relative to the rotating surface of at least one of the transfer means positioned substantially adjacent to the upstream end of the first nip or nips associated with the at least one of the transfer means" raises new issues requiring further consideration and/or search. As indicated in the Remarks accompanying that Amendment such was not the Applicant's intent.

Accordingly, while Applicants respectfully submit that their previous discussion in the Amendment After Final Rejection Under 37 CFR 1.116 remains substantively correct and is incorporated herein by reference, nevertheless in the interest of advancing this prosecution Applicants have hereinabove amended the Claims 1 and 18 as stated in the Amendment After Final Rejection Under 37 CFR 1.116 so as to delete that language the Examiner indicated raised a new issue in this case.

In place of the wording deleted by the foregoing Amendment, Applicants now have presented wording in independent Claims 1 and 18 directed to “the one or more lead edge portions of the at least one of the sheet or sheets of paper being transported from at least one of the paper transport means along a trajectory toward at least one of the transfer means on the opposite side of said plane therefrom”. This new wording is clearly and definitely supported at paragraph 0058 of the present specification, and consequently it is respectfully submitted that it clearly does not present any new issue in this application but rather makes explicit what was previously implicit in the independent claims.

Accordingly, in view of the foregoing Amendment and Applicants’ Remarks in the Amendment After Final Rejection Under 37 CFR 1.116, Applicants respectfully submit that the claims of this application are now in condition for allowance. A decision so holding in response to this communication is respectfully requested.

Applicants also believe that additional fees beyond those submitted herewith are not required in connection with the consideration of this response to the currently outstanding Official Action. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge and/or credit Deposit Account No. 04-1105, as necessary, for the correct payment of all fees which may be due in connection with the filing and consideration of this communication.

Respectfully submitted,

Date: November 22, 2005



SIGNATURE OF PRACTITIONER

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